IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

FRIDAY, THE 27TH APRIL 2007 / 7TH VAISAKHA 1929

Bail Appl..No. 2547 of 2007()

LPC.43/2005 of J.M.F.C.,PARAPPANANGADI
.....

(CRIME NO.104/91 OF TIRURANGADI POLICE STATION)

PETITIONER/3RD ACCUSED IN LPC 43/2005:

SALIM, AGED 32 YEARS,
S/O.KUNHALAVI, KUTHIRODATH HOUSE,
MAMPURAM POST, TIRURANGADI, MALAPPURAM DISTRICT.

BY ADV. SRI.K.P.SUDHEER

RESPONDENT: COMPLAINANT:

STATE OF KERALA, REPRESENTED BY
ITS PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING THE SUB INSPECTOR OF
POLICE, TIRURANGADI POLICE STATION, MALAPPURAM
DISTRICT.

BY PUBLIC PROSECUTOR SRI. BENJAMIN PAUL

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 27/04/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R. UDAYABHANU, J.

B.A.NO.2547 OF 2007.

DATED THIS THE 27th DAY OF APRIL, 2007.

ORDER

Petitioner who is the 3rd accused in LPC.No.43 of 2005 on the file of the Judicial First Class Magistrate's Court-I, Parappanangadi with respect to the offeces under Section 143, 147, 148, 323, 324 r/w. 149 of IPC has sought for a direction to the court below that there may not be an order of pre-trial detention at the time of his appearance. It is submitted that the matter was settled out of court and the crime was registered as a counter case. He could not appear before the court as he was employed in Saudi Arabia.

2. In the circumstances, the petitioner is directed to surrender before the court below within two weeks from today and file an application for bail. Non-bailable warrant is not to be executed in the meantime. Pre-trial detention is not required. The court below shall as far as possible dispose of the application for bail, to be filed on the date of appearance of the petitioner itself. The Bail Application is disposed of accordingly.

K.R.UDAYABHANU.
JUDGE.

kvs/-